

BALTIMORE COUNTY PUBLIC SCHOOLS

DATE: March 12, 2002

TO: BOARD OF EDUCATION

FROM: Dr. J. Hairston, Superintendent

SUBJECT: SB751 /HB1294 Education - Financing - Aid to Education

ORIGINATOR: Dr. J. Hairston, Superintendent

RESOURCE
PERSON(S): George P. Poff, Jr., Assistant to the Superintendent, Governmental Relations

RECOMMENDATION

That the Board of Education support SB751/HB 1294.

See recommendation to the Board, Appendix 1, attached.

GPP: ccm

Appendix I - Recommendation for Approval of SB751/1-113 1294

Appendix II - Senate Bill 751

Appendix III - Fiscal Note

Appendix IV - Key School Legislation, Current Status of Legislation that the Board Previously Supported or Opposed.

Recommendation for Approval of **SB751/HB1294**

March 12, 2002

Should the Thornton Commission recommendations not be funded, this legislation (as was with SB 719 of last year) would advance the sunset date, which is scheduled to end this year, to the end of FY 2004. The programs affected include such educational grants as ESOL, Compensatory Education, Mentoring, Aging Schools, and EEEP.

This legislation also includes an improved funding formula for pupil transportation for Baltimore County in the amount of \$3.4 million.

This legislation, moving the sunset date, is necessary due to the termination of state funding for these programs at the end of FY 2003. At the time, it had been planned that they would be folded into the Thornton Commission's recommendations.

SENATE BILL 751

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2002 Regular Session
21r2505

By: Senator Middleton
Introduced and read first time: February 1, 2002
Assigned to: Budget and Taxation and Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 Education - Financing - Aid to Education

3 FOR the purpose of modifying the Governor's Teacher Salary Challenge Program to
4 require that certain funds be distributed to certain counties in a certain fiscal
5 year; extending the termination date of a certain management oversight panel
6 in Prince George's County; extending certain responsibilities of the management
7 oversight panel for a certain period; extending certain duties of the coordination
8 office for the management oversight panel for a certain period; requiring the
9 Governor to include certain appropriations in certain State budgets for certain
10 educational programs; providing for the distribution of certain appropriations;
11 extending the termination date of certain educational funding programs;
12 modifying certain educational programs to make them applicable in a certain
13 fiscal year; altering the amounts of grants to county boards of education for
14 transportation services; prohibiting a county board from receiving more than
15 100% of the actual cost of providing student transportation services in that
16 county; and generally relating to the funding of the State's public schools.

17 BY repealing and reenacting, with amendments,
18 Article - Education
19 Section 5-205, 5-206(g)(6) and (8), and 5-213
20 Annotated Code of Maryland
21 (2001 Replacement Volume)

22 BY repealing and reenacting, without amendments,
23 Article - Education
24 Section 5-206(g)(7)
25 Annotated Code of Maryland
26 (2001 Replacement Volume)

27 BY repealing and reenacting, with amendments,
28 Chapter 105 of the Acts of the General Assembly of 1997, as amended by
29 Chapter 420 of the Acts of the General Assembly of 2001
30 Section 7 and 29-2(a)

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1 BY repealing and reenacting, without amendments,
2 Chapter 105 of the Acts of the General Assembly of 1997, as amended by
3 Chapter 420 of the Acts of the General Assembly of 2001
4 Section 24, 29-1, and 29-2(b)

5 BY repealing and reenacting, with amendments,
6 Chapter 565 of the Acts of the General Assembly of 1998, as amended by
7 Chapter 420 of the Acts of the General Assembly of 2001
8 Section 2 and 3

9 BY repealing and reenacting, with amendments,
10 Chapter 704 of the Acts of the General Assembly of 1998, as amended by
11 Chapter 420 of the Acts of the General Assembly of 2001
12 Section 2, 3, 4, and 5

13 BY repealing and reenacting, with amendments,
14 Chapter 464 of the Acts of the General Assembly of 1999, as amended by
15 Chapter 420 of the Acts of the General Assembly of 2001
16 Section 4

17 BY repealing and reenacting, with amendments,
18 Chapter 493 of the Acts of the General Assembly of 2000, as amended by
19 Chapter 420 of the Acts of the General Assembly of 2001
20 Section 4 and 10

21 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
22 MARYLAND, That the Laws of Maryland read as follows:

23 Article - Education

245-205.

25 (a) For fiscal year [1993|2003, grants in the following amounts shall be
26 distributed to the county boards to provide transportation services for public school
27 students and handicapped children for whom transportation is to be provided under §
28 8-410 of this article:

- 29 (1) ALLEGANY.....\$3,469,827;
- 30 (2) ANNE ARUNDEL \$15,293,428;
- 31 (3) BALTIMORE CITY.....\$12,596,967;
- 32 (4) BALTIMORE \$18,920,981;
- 33 (5) CALVERT.....\$2,907,878;
- 34 (6) CAROLINE.....\$1,798,633;

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751

1	(7)	CARROLL.....	\$5,967,050;
2	(8)	CECIL.....	\$3,351,898;
3	(9)	CHARLES	\$6,443,910;
4	(10)	DORCHESTER.....	\$1,790,299;
5	(11)	FREDERICK	\$6,291,589;
6	(12)	GARRETT	\$2,308,605;
7	(13)	HARFORD	\$7,843,468;
8	(14)	HOWARD	\$7,807,617;
9	(15)	KENT	\$1,202,859;
10	(16)	MONTGOMERY.....	\$18,691,895;
11	(17)	PRINCE GEORGE'S.....	\$25,145,846;
12	(18)	QUEEN ANNE'S	\$2,103,813;
13	(19)	ST. MARY'S	\$4,178,786;
14	(20)	SOMERSET.....	\$1,393,339;
15	(21)	TALBOT.....	\$1,140,895;
16	(22)	WASHINGTON.....	\$4,587,516;
17	(23)	WICOMICO.....	\$3,365,941; AND
18	(24)	WORCESTER.....	\$2,063,619.

19 (B) Appropriations for student transportation shall be budgeted in a separate
20 budget category as provided in § 5-101 of this article.

21 (C) [If the amount that is appropriated to a county under this section in a
22 fiscal year is more than the actual cost of providing student transportation services in
23 that county, a county board or the Board of School Commissioners of Baltimore City
24 may apply any excess funds to costs of pupil transportation in subsequent years. None
25 of these funds may be paid to or claimed by any subdivision, nor may any of these
26 funds be reverted to any subdivision.] A COUNTY MAY NOT RECEIVE MORE THAN 100%
27 OF THE ACTUAL COST OF PROVIDING STUDENT TRANSPORTATION SERVICES IN THAT
28 COUNTY.

29 (D) A county board [or the Board of School Commissioners of Baltimore City]
30 may not transfer State revenues from the student transportation category to any
31 other category [as a result of this section].

4

1	[(1)	Allegany.....	\$ 1,980,822
2	(2)	Anne Arundel.....	8,425,949
3	(3)	Baltimore City.....	7,190,970
4	(4)	Baltimore	10,367,659
5	(5)	Calvert	1,416,467
6	(6)	Caroline.....	1,006,102
7	(7)	Carroll.....	3,187,617
8	(8)	Cecil.....	1,804,270
9	(9)	Charles.....	3,451,989
10	(10)	Dorchester.....	1,019,763
11	(11)	Frederick.....	3,190,417
12	(12)	Garrett.....	1,316,631
13	(13)	Harford	4,243,590
14	(14)	Howard.....	3,771,266
15	(15)	Kent.....	682,517
16	(16)	Montgomery.....	9,288,324
17	(17)	Prince George's.....	13,405,820
18	(18)	Queen Anne's.....	1,124,034
19	(19)	St. Mary's.....	2,281,410
20	(20)	Somerset	793,869
21	(21)	Talbot.....	639,498
22	(22)	Washington.....	2,592,124
23	(23)	Wicomico.....	1,905,063
24	(24)	Worcester.....	1,159,874]

25 [(b)] (E) (1) In this subsection, "full-time equivalent enrollment" means the
 26 full-time equivalent enrollment used to calculate the State share of basic current
 27 expenses for a fiscal year under § 5-202 of this subtitle.

1 (2) Subject to the limitations under paragraph (3) of this subsection, for
 2 fiscal year [200112004 and every year thereafter the amount of the grant shall be
 3 equal to the amount of the grant for the previous year increased by the same
 4 percentage as the increase in the private transportation category of the Consumer
 5 Price Index for all urban consumers, for the Washington-Baltimore metropolitan
 6 area, as of July of the fiscal year preceding the year for which the amount is being
 7 calculated, plus an additional amount equal to the product of:

8 (i) The total State grant for school transportation for the previous
 9 fiscal year divided by the full-time equivalent enrollment for the previous fiscal year;
 10 and

11 (ii) [For fiscal year 1999 and each fiscal year thereafter, the] THE
 12 difference between the full-time equivalent enrollment in a county for the current
 13 fiscal year and EITHER:

14 1. [the] THE full-time equivalent enrollment in the county
 15 for the previous fiscal year[, or,]; OR

16 2. [if J IF the full-time equivalent enrollment in a county for
 17 the current fiscal year is less than the full-time equivalent enrollment in the county
 18 for the previous fiscal year, zero.

19 (3) The increase in the amount of the grant that is based on the increase
 20 in the private transportation category of the Consumer Price Index may not be less
 21 than [3 percent] 3% nor more than [8 percent] 8% of the amount of the grant for the
 22 previous year.

23 [(c)] (F) For each fiscal year, in addition to the grant provided under
 24 subsections (a) and (b) of this section, a handicapped student transportation grant
 25 shall be distributed to each county board. The amount of the grant to each board shall
 26 be \$500 times the number of handicapped students requiring special transportation
 27 services who are transported by the county board in excess of the number transported
 28 during the 1980-1981 school year.

29 [(d)] (G) For the purposes of detennining the amount of the grant provided
 30 under subsection (c) of this section, the State Board shall develop a procedure and
 31 adopt regulations for determining the number of handicapped students transported in
 32 each jurisdiction in excess of the number transported in the 1980-1981 school year.

33 [(e)] (H) The State Board shall adopt rules and regulations that provide for
 34 the safe operation of the student transportation system of each county board of
 35 education.

365-206.

37 (g) (6) (i) There shall be a Management Oversight Panel which shall
 38 assist in developing the scope of the performance audit, meet periodically with the
 39 auditors to monitor the progress of the performance audit and of the financial audit,

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1 review the findings and recommendations of both audits, and monitor
2 implementation of the audits' recommendations for a [five-year] SIX-YEAR period.

3 (ii) The Management Oversight Panel shall consist of nine
4 members jointly appointed by the Governor, the Prince George's County Executive,
5 and the Chairperson of the Prince George's County Board of Education from a list of
6 nominations submitted by the State Board of Education.

7 (iii) The Management Oversight Panel shall be comprised of:

8 1. Four individuals who have extensive expertise in
9 management or business enterprises;

10 2. Three individuals who have extensive expertise in the
11 education field; and

12 3. Two individuals who are parents of students in the Prince
13 George's County public schools, at least one of whom has a child in special education.

14 (iv) A majority of the members of the Management Oversight Panel
15 shall be residents of Prince George's County.

16 (v) The Governor, the Prince George's County Executive, and the
17 Chairman of the Prince George's County Board of Education jointly shall designate a
18 Chairman of the Management Oversight Panel.

19 (vi) The Management Oversight Panel shall assist in developing the
20 scope of a performance audit and shall meet periodically with the Board Chairperson,
21 the County Executive, and the County Council Chairperson to monitor the progress of
22 the audit.

23 (vii) At the conclusion of the performance audit and the financial
24 audit, the Management Oversight Panel shall review the findings and
25 recommendations of the audits and report to the Governor, General Assembly, Prince
26 George's County Council, Prince George's County Executive, and Prince George's
27 County Board of Education:

28 1. On the audits' findings and recommendations; and

29 2. Annually on implementation of the audits'
30 recommendations.

31 (viii) The Management Oversight Panel and the county board shall
32 promulgate and publish a protocol for joint communications with, and requests for,
33 information to the County Board and the County Superintendent and shall notify the
34 Prince George's County Senators and the Prince George's County Delegation, the
35 County Executive, the County Council and the State Superintendent of any breaches
36 of that protocol by the Management Oversight Panel, the County Board, or the
37 County Superintendent.

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1 (ix) The Management Oversight Panel may meet and deliberate in
2 executive session with the County Board, the County Superintendent, and employees
3 of the County Board to discuss any matter which the Management Oversight Panel
4 and the County Board may separately discuss in executive session.

5 (x) The affirmative vote of the members of the Management
6 Oversight Panel for the passage of a motion by the Management Oversight Panel
7 shall be a majority of the members presently authorized to serve.

8 (7) The State shall provide one-third of the total cost of the performance
9 audit up to \$200,000, with release of the funds contingent on appointment of the
10 Management Oversight Panel.

11 (8) (i) There shall be a coordination office with staff appointed by the
12 Management Oversight Panel.

13 (ii) The coordination office shall provide support to the
14 Management Oversight Panel and serve as liaison between the State, Prince George's
15 County, and the Management Oversight Panel for the duration of the [five-year]
16 SIX-YEAR period.

17 (iii) The State shall fund the total operating costs of the
18 coordination office.

195-213.

20 (a) (1) In this section the following words have the meanings indicated.

21 (2) (i) "Cost of living adjustment" means a percentage increase in
22 salaries that applies among all grades and steps.

23 (ii) "Cost of living adjustment" does not include salary increases for
24 promotions, increments, or step increases, or similar salary increases received by
25 employees as a regular part of the operation of a personnel system.

26 (3) "Full-time equivalent enrollment" has the meaning indicated in §
27 5-202 of this subtitle.

28 (4) "State share" means the State share of basic current expenses
29 provided under § 5-202 of this subtitle divided by the amount of the basic current
30 expenses to be shared for that county.

31 (5) "Teacher salary base" means the total salaries and wages of teachers
32 employed by a county board for the fiscal year preceding the fiscal year for which the
33 Governor's Challenge Grant is calculated, as determined by the Department of
34 Budget and Management and the State Superintendent.

35 (6) "Teacher" means any certificated professional public school employee
36 who is not an administrator.

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1 (7) "Wealth" has the meaning stated in § 5-202 of this subtitle.

2 (8) "Wealth per pupil" means wealth divided by full-time equivalent
3 enrollment.

4 (b) There is a Governor's Teacher Salary Challenge Program.

5 (c) The Governor's Teacher Salary Challenge Program shall provide grants to
6 county boards for the purpose of increasing teacher salaries in order to improve
7 recruitment and retention of well qualified teachers.

8 (d) (1) Each grant made to a county board shall be calculated based on:

9 (i) A percentage component;

10 (ii) A wealth adjusted component;

(iii) A hold harmless component;

12 (iv) A targeted component; and

13 (v) A transitional component.

14 (2) The percentage component shall be calculated as follows:

15 (i) For fiscal year 2001, multiply the teacher salary base for the
16 county board by 0.01;

17 (ii) For fiscal year 2002:

18 1. If the county board meets the local match requirement
19 established under subsection (f)(2) of this section in fiscal year 2001 and meets the
20 local match requirement for fiscal year 2002, multiply the teacher salary base for the
21 county board by 0.02;

22 2. If the county board does not meet the local match
23 requirement established under subsection (f)(2) of this section in fiscal year 2001 and
24 meets the local match requirement in fiscal year 2002, multiply the teacher salary
25 base for the county board by 0.01; and

26 3. If the county board meets the local match requirement
27 established under subsection (f)(2) of this section in fiscal year 2001 and does not
28 meet the local match requirement in fiscal year 2002, multiply the teacher salary
29 base for the county board by 0.01; and

30 (iii) For fiscal [year] YEARS 2003 AND 2004, the county board shall
31 receive an amount that is equal to the percentage component received by the county
32 board in fiscal year 2002.

33 (3) (i) For fiscal years 2001 and 2002, the wealth adjusted component
34 shall be calculated as follows:

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1 1. A. Multiply the percentage component for the county
2 board by 2; and

3 B. Multiply the product calculated in item 1 of this item for
4 that fiscal year by the State share for the county board; and

5 2. A. If the product calculated in item (i) of this paragraph
6 is greater than the percentage component for the county board, the wealth adjusted
7 component shall be the amount of the difference.

8 B. If the product calculated in item (i) of this paragraph is
9 less than the percentage component for the county board, the wealth adjusted
10 component shall be zero.

11 (ii) For fiscal [year] YEARS 2003 AND 2004, the county board shall
12 receive an amount that is equal to the wealth adjusted component received by the
13 county board in fiscal year 2002.

14 (4) (i) The Governor's Teacher Salary Challenge Grant to a county
15 board shall contain a hold harmless component equal to the amount, if any, by which
16 the county board's State share of basic current expense calculated under § 5-202 of
17 this subtitle for the year of the Governor's Teacher Salary Challenge Grant is less
18 than the county board's State share of basic current expense calculated under § 5-202
19 of this subtitle for the previous year.

20 (ii) A county board shall receive its hold harmless component
21 regardless of whether it meets the local match requirement established under
22 subsection (f)(2) of this section.

23 (5) (i) The Governor's Teacher Salary Challenge Grant to a county
24 board shall contain a targeted component as provided in subparagraphs (ii) through
25 (vi) of this paragraph.

26 (ii) For fiscal year 2001, the Governor shall include in the annual
27 budget bill an appropriation of at least \$5,300,000 for the targeted component.

28 (iii) For fiscal year 2002, the Governor shall include in the annual
29 budget bill an appropriation of at least \$10,600,000 for the targeted component.

30 (iv) For fiscal years 2001 and 2002, the county board in each county
31 that has a wealth per pupil that is less than 75 percent of the statewide wealth per
32 pupil shall receive a proportionate share of the targeted component that is equal to
33 the county board's proportionate share of the total full-time equivalent enrollment for
34 all counties with a wealth per pupil that is less than 75 percent of the statewide
35 wealth per pupil.

36 (v) For fiscal years 2001 and 2002, the county board shall receive
37 its proportionate share of the targeted component regardless of whether it meets the
38 local match requirement established under subsection (f)(2) of this section.

1 (vi) For fiscal [year] YEARS 2003 AND 2004, the county board shall
2 receive an amount that is equal to the targeted component received by the county
3 board in fiscal year 2002.

4 (6) (i) The Governor's Teacher Salary Challenge Grant shall contain a
5 transitional component as provided in subparagraphs (ii) and (iii) of this paragraph.

6 (ii) For fiscal year [2001]2004, the Governor shall include in the
7 State budget an appropriation of at least [\$9 million] \$9,000,000 for the transitional
8 component.

9 (iii) A county board shall receive a proportionate share of the
10 transitional component that is equal to the county board's proportionate share of all
11 reimbursements received by the State from the county board that:

12 1. Are for retirement contributions received after June 30,
13 1999 but before July 1, 2000; and

14 2. Are sought by the State Retirement Agency on the basis
15 that the salary of an eligible member of the Teachers' Retirement System or Teachers'
16 Pension System is paid in whole or in part from:

17 A. State aid, whether general or categorical in nature; or

18 B. Federal funds, whether the funds are paid directly to a
19 county board or are passed through from a unit of State government.

20 (iv) A county board shall receive its proportionate share of the
21 transitional component regardless of whether it meets the local match requirement
22 established under subsection (f)(2) of this section.

23 (e) (1) On or before June 1, 2000, and on or before June 1, 2001, each county
24 board may submit a Governor's Teacher Salary Challenge Grant application to the
25 Department of Budget and Management and the State Superintendent for the
26 percentage component and the wealth adjusted component of the Governor's Teacher
27 Salary Challenge Program.

28 (2) The application shall include:

29 (i) The estimated teacher salary base for the county board for the
30 current fiscal year;

31 (ii) For the next fiscal year, the negotiated and funded cost of living
32 adjustment for teachers and the aggregate cost of negotiated and funded changes to
33 the teacher salary schedules, to be funded from sources other than the percentage
34 component of the Governor's Teacher Salary Challenge Grant, expressed in total
35 dollars and as a percentage; and

36 (iii) Any other information necessary to determine eligibility for the
37 Governor's Teacher Salary Challenge Grant.

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1 (3) The application shall be in a form and format specified by the
2 Department of Budget and Management and the State Superintendent.

3 (f) (1) For fiscal years 2001 and 2002, the percentage component and the
4 wealth adjusted component of a Governor's Teacher Salary Challenge Grant shall be
5 awarded to each county board that submits an application and that meets the
6 requirements of this section, as determined by the Department of Budget and
7 Management and the State Superintendent.

a (2) (i) Subject to subparagraph (ii) of this paragraph and paragraph
9 (3) of this subsection, a county board that provides a negotiated and funded cost of
10 living adjustment for teachers of at least 4% or a negotiated and funded adjustment to
11 the teacher salary schedules that has an aggregate cost that is at least equivalent to
12 the cost of providing a 4% cost of living adjustment for teachers shall qualify for the
13 percentage component and the wealth adjusted component of the Governor's Teacher
14 Salary Challenge Program.

15 (ii) The funds provided by a county board for the purpose of
16 meeting the local match requirement established under subparagraph (i) of this
17 paragraph shall be:

18 1. In addition to any previously negotiated and funded step
19 increases and stipends; and

20 2. Obtained from sources other than the percentage
21 component of the Governor's Teacher Salary Challenge Program.

22 (3) If a county board meets the local match requirement established
23 under paragraph (2) of this subsection in fiscal year 2001 and does not meet the local
24 match requirement in fiscal year 2002, the county board shall receive:

25 (i) A percentage component in fiscal year 2002 as provided under
26 subsection (d)(2)(ii)3 of this section; and

27 (ii) A wealth adjusted component in fiscal year 2002 as provided
28 under subsection (d)(3) of this section.

29 (4) In fiscal years 2001 and 2002, the percentage component of the
30 Governor's Teacher Salary Challenge Grant shall be used to provide an additional 1%
31 cost of living adjustment for teachers.

32 (g) The Governor shall include finds in the State budget to accomplish the
33 purposes of this section.

34 (h) The Department of Budget and Management and the State
35 Superintendent may establish guidelines or regulations to implement the Governor's
36 Teacher Salary Challenge Program.

37 (i) (1) There is a Transitional Education Fund.

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1 (2) The Fund consists of \$16,500,000 of reimbursements for fiscal year
 2 2000 and all reimbursements for fiscal years 2001, 2002, [and] 2003, AND 2004
 3 received by the State from the county boards that:

4 (i) Are for retirement contributions made after June 30, 1999 but
 5 before [July 1, 2003] JULY 1, 2004; and

6 (ii) Are sought by the State on the basis that the salary of an
 7 eligible member of the Teachers' Retirement System or Teachers' Pension System is
 8 paid in part or in whole from:

9 1. State aid, whether general or categorical in nature; or

10 2. Federal funds, whether the funds are paid directly to a
 11 local school system or are passed through from a unit of State government.

12 (3) Notwithstanding § 5-203(d) of this subtitle, all reimbursements
 13 described in paragraph (2) of this subsection shall be credited to the Fund.

14 (4) (i) The State Treasurer shall hold the Fund and shall invest the
 15 money in the Fund in the same manner as other State money may be invested.

16 (ii) All interest earned on the Fund shall accrue to the General
 17 Fund.

18 (iii) The State Comptroller shall account for the Fund.

19 (5) The Fund shall be used to implement the Governor's Teacher Salary
 20 Challenge Program established under this section.

21 (6) Expenditures from the Fund may only be made pursuant to an
 22 appropriation approved by the General Assembly in the annual State budget or by
 23 approved budget amendment.

24 (7) Except as provided in paragraph (8) of this subsection, any Fund
 25 balance at the end of each fiscal year shall remain in the Fund and may not revert to
 26 the General Fund.

27 (8) The Fund shall terminate at the end of [June 30, 2003] JUNE 30, 2004
 28 and any Fund balance that remains at the end of [June 30, 2003] JUNE 30, 2004 shall
 29 revert to the General Fund.

30 SECTION 2. AND BE IT FURTHER ENACTED, That, in addition to the
 31 appropriation required by § 8-414 of the Education Article, the Governor shall
 32 include in the State budget for fiscal year 2004 an appropriation of at least
 33 \$11,250,000 for public special education that shall be distributed in accordance with
 34 the recommendations set forth in the November 1986 report of the Task Force to
 35 Study the Funding of Special Education.

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1 SECTION 3. AND BE IT FURTHER ENACTED, That the Governor shall
2 include in the State budget for fiscal year 2004 an appropriation of at least
3 \$19,500,000 to fund the Maryland Academic Intervention and Support Program
4 established under § 7-208 of the Education Article.

5 SECTION 4. AND BE IT FURTHER ENACTED, That the Governor shall
6 include in the State budget for fiscal year 2004 an appropriation of at least
7 \$15,900,000 for teacher mentoring programs.

8 SECTION 5. AND BE IT FURTHER ENACTED, That the Governor shall
9 include in the State budget for fiscal year 2004 an appropriation of at least
10 \$19,000,000 to fund programs that improve the academic achievement of students in
11 pre-kindergarten through third grade that shall be distributed in accordance with
12 the recommendations set forth in the November 1986 report of the Task Force to
13 Study the Funding of Special Education.

14 SECTION 6. AND BE IT FURTHER ENACTED, That the Governor shall
15 include in the State budget for fiscal year 2004 an appropriation of at least
16 \$11,625,000 for the Judith P. Hoyer Early Child Care and Education Enhancement
17 Program established under § 5-215 of the Education Article.

18 SECTION 7. AND BE IT FURTHER ENACTED, That the Governor shall
19 include in the State budget for fiscal year 2004 an appropriation of at least \$9,800,000
20 to fund the program for reconstitution-eligible schools established under Title 3A,
21 Subtitle 01, Chapter 04 of the Code of Maryland Regulations.

22 SECTION 8. AND BE IT FURTHER ENACTED, That the Laws of Maryland
23 read as follows:

24 Chapter 105 of the Acts of 1997, as amended by Chapter 420 of the Acts of
25 2001

26 SECTION 7. AND BE IT FURTHER ENACTED, That the provisions of this
27 Act reflect the terms of the consent decrees entered in the cases "Bradford, et al v.
28 Maryland State Board of Education, et al", case no. 94340058/CE189672; "Board of
29 School Commissioners, et al v. Maryland State Board of Education, et al", case no.
30 9528055/CL2002151, Baltimore City Circuit Court; and "Vaughn G., et al v. Mayor
31 and City Council, et al", case no. MJG-84-1911, United States District Court for the
32 District of Maryland and reflect a commitment to appropriate additional funds for the
33 Baltimore City public schools in the following amounts: \$30 million in Fiscal Year
34 1998 and \$50 million in each of Fiscal Years 1999 through 2002, inclusive. For fiscal
35 [year] YEARS 2003 AND 2004, the Governor shall continue the commitment to
36 appropriate \$50 million in additional funds for the Baltimore City Public Schools.

37 SECTION 24. AND BE IT FURTHER ENACTED, That, if the General
38 Assembly fails to appropriate the funds for any of the fiscal years described in Section
39 7 of this Act, this Act shall be abrogated effective on the last day of the last fiscal year
40 for which funds were appropriated.

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1 SECTION 29. AND BE IT FURTHER ENACTED, That:

2 29-1. Grants Contingent Upon Funding.

3 In each year in which funds are provided to Baltimore City pursuant to Section
4 7 of this Act, subject to approval of the General Assembly, the Governor shall provide
5 in the State budget the amounts provided in this section for the jurisdictions
6 indicated.

7 29-2. Abrogation Provision.

8 (a) (1) Subsection (e) of this section shall remain in effect until June 30,
9 2002, after which it shall be abrogated and of no further force and effect without
10 further action by the General Assembly.

11 (2) Except as provided in paragraph (1) of this subsection, this section
12 shall remain in effect until [June 30, 2003] JUNE 30, 2004 after which it shall be
13 abrogated and of no further force and effect with no further action required by the
14 General Assembly.

15 (b) If the General Assembly fails to appropriate the funds described in this
16 section for any of the fiscal years, this Act shall be abrogated effective on the last day
17 of the last fiscal year for which funds were appropriated.

18 Chapter 565 of the Acts of 1998, as amended by Chapter 420 of the Acts of
19 2001

20 SECTION 2. AND BE IT FURTHER ENACTED, That it is the intent of the
21 General Assembly that the Governor provide a maximum of \$310,000 annually in
22 Fiscal Years 1999 through [2003] 2004 for the operating expenses of the Coordination
23 Office established by this Act.

24 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take
25 effect July 1, 1998. It shall remain effective for a period of [516 years and, at the end
26 of [June 30, 2003] JUNE 30, 2004, with no further action required by the General
27 Assembly, this Act shall be abrogated and of no further force and effect.

28 Chapter 704 of the Acts of 1998, as amended by Chapter 420 of the Acts of
29 2001

30 SECTION 2. AND BE IT FURTHER ENACTED, That for fiscal years 1999
31 through [2003]2004, in each year, the State shall provide \$35 million for public
32 school construction projects in Prince George's County and the Prince George's
33 County government shall provide a minimum of \$32 million for public school
34 construction projects, and such additional funds as may be necessary to match the
35 annual State appropriation for public school construction projects in Prince George's
36 County. For fiscal years 2000 through [2003] 2004, the full level of State funding shall
37 be contingent on future economic conditions and review and approval by the State
38 Superintendent of Schools of the Prince George's County Board of Education's
39 Comprehensive Plan described in the 1998 Memorandum of Understanding signed by

15

SENATE BILL 751

1 the parties to Vaughns, et al. v. Board of Education of Prince George's County, et al.
2 and submitted to the United States District Court.

3 SECTION 3. AND BE IT FURTHER ENACTED, That for fiscal years 1999
4 through [2003] 2004, in each year, the State shall provide 75 percent of the eligible
5 costs for up to \$35 million in public school construction costs in Prince George's
6 County. At least \$20 million of the State funds must be spent each year on
7 neighborhood school projects. For funding above \$35 million, the State shall provide
8 60 percent of the eligible costs. Neighborhood school projects shall be identified by the
9 Interagency Committee on Public School Construction and shall include new public
10 schools and additions or improvements to existing public schools which serve students
11 reassigned to their local communities based upon the Community Schools Education
12 Plan developed by the Prince George's County Board of Education.

13 SECTION 4. AND BE IT FURTHER ENACTED, That prior to any school
14 construction projects being released for bidding as a result of State funding in fiscal
15 years 1999 through [2003] 2004, the Prince George's County Board of Education, the
16 County Executive, and the County Council shall submit to the Interagency
17 Committee on School Construction the most recent Community Schools Education
18 Plan and the Prince George's County Board of Education Capital Improvement
19 Program and a letter of endorsement of the plan and program. The Interagency
20 Committee shall review the information submitted and determine which projects or
21 portions thereof are justified and which qualify as neighborhood school projects. Prior
22 to any approval from the Interagency Committee to release any projects for bidding,
23 the educational programs and services proposed for each project shall be reviewed
24 and approved by the State Superintendent of Schools for consistency with practices
25 and strategies that result in improved student achievement and academic and social
26 success.

27 SECTION 5. AND BE IT FURTHER ENACTED, That:

28 (a) Except as provided in subsection (b) of this section and Section 6 of this
29 Act, this Act shall remain effective until [June 30, 2003] JUNE 30, 2004, and, at the
30 end of [June 30, 2003] JUNE 30, 2004, with no further action required by the General
31 Assembly, this Act shall be abrogated and of no further force and effect.

32 (b) Notwithstanding any other provision of this Act, § 5-307(d) of the
33 Education Article as enacted by this Act shall remain in effect and shall not terminate
34 without further action by the General Assembly,

35 Chapter 464 of the Acts of 1999, as amended by Chapter 420 of the Acts of
36 2001

37 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall remain
38 effective until [June 30, 2003] JUNE 30, 2004, and, at the end of [June 30, 2003]
39 JUNE 30, 2004, with no further action required by the General Assembly, this Act shall
40 be abrogated and of no further force and effect.

16

SENATE BILL 751

1 Chapter 493 of the Acts of 2000, as amended by Chapter 420 of the Acts of
2 2001

3 SECTION 4. AND BE IT FURTHER ENACTED, That the Governor shall
4 include in the State budget for each of fiscal years 2001, 2002, [and] 2003, AND 2004
5 an appropriation of at least \$20,465,079 to meet the State's existing legal obligations
6 for educational funding and avoid future litigation.

7 SECTION 10. AND BE IT FURTHER ENACTED, That this Act shall take
8 effect June 1, 2000. Section 1 of this Act shall remain effective for a period of [314
9 years and 1 month and, at the end of [June 30, 2003] JUNE 30, 2004, with no further
10 action required by the General Assembly, Section 1 of this Act shall be abrogated and
11 of no further force and effect.

12 SECTION 9. AND BE IT FURTHER ENACTED, That this Act shall take effect
13 June 1, 2002.

Department of Legislative Services
 Maryland General Assembly
 2002 Session

FISCAL NOTE

Senate Bill 751 (Senator Middleton)
 Budget and Taxation & Education, Health, and Environmental Affairs

Education - Financing - Aid to Education

This bill provides an additional \$27.5 million in State funding to local school systems for student transportation. A local school system is prohibited from receiving more than 100% of the actual cost of providing student transportation services in the county. The bill also continues \$256.6 million in State aid to local school systems in fiscal 2004 that otherwise would have expired after fiscal 2003. In addition, the Governor must continue to provide a minimum funding level for several education programs including special education, academic intervention, teacher mentoring, Judith P. Hoyer Centers, early education initiatives, and reconstitution-eligible schools.

The bill takes effect June 1, 2002.

Fiscal Summary

State Effect: General fund expenditures would increase by \$27.5 million in FY 2003 to provide additional student transportation grants to local school systems. Future year grants increase by inflation. Approximately \$256.6 million in State education aid that sunsets after FY 2003 would continue in FY 2004 only and an additional \$9 million in funding under the transitional component would be provided to local school systems.

(\$ in millions)	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	27.5	37.5	29.5	30.5	31.5
Net Effect	(\$27.5)	(\$37.5)	(\$29.5)	(\$30.5)	(\$31.5)

Note, O = decrease; GF=general funds; FF= federal funds; SF=special funds; -indeterminate effect

Local Effect: State aid to local school systems would increase by \$27.5 million in FY 2003. In addition, local school systems would continue to receive \$256.6 million in State aid in FY 2004 that would have expired after FY 2003.

Small Business Effect: None.

Analysis

Current Law: The Maryland Constitution requires the State to provide a thorough and efficient system of free public schools. To satisfy this requirement, the State will provide approximately \$3.0 billion to local school systems in fiscal 2003. State education aid accounts for approximately 30% of the State's general fund revenues. In addition, State funding to local school systems represents the largest component of the State's general fund budget. State funding to local school systems is provided through approximately 50 programs.

State student transportation funding is based on each county's allocation in the previous year increased by the lesser of 8% or the change in the Consumer Price Index (CPI) for private transportation in the Washington-Baltimore metropolitan area for the preceding fiscal year. Each school system, however, is guaranteed a **minimum** 3% increase. In addition, local school systems receive an additional grant to reflect enrollment growth. The add-on grant is calculated by multiplying the increase in student enrollment by the per student transportation grant amount in the previous year. If a local school system receives more State aid than the actual cost of providing student transportation services in that county, the local school system may apply any excess funds to the costs of student transportation in subsequent years.

Background: The Commission on Education Finance, Equity, and Excellence was established in the fall of 1999 pursuant to legislation enacted during the 1999 session. The 27-member commission was charged with reviewing the State's current school finance system and accountability measures. The commission's interim report, issued in December 2000, included recommendations that would have resulted in \$133.4 million in new education funding for fiscal 2002. The interim report also recommended that the termination provision for 23 programs be extended for one year while the commission continued its appraisal of the State's school finance structure.

The commission's interim recommendations were subsequently included in legislation (Senate Bill 719) that was introduced during the 2001 session. The final version of the bill that was passed by the General Assembly extended the termination dates for 23 programs until the end of fiscal 2003 and mandated that funding for several other existing programs continue in fiscal 2003. However, the final legislation did not include the enhanced education funding recommended by the commission. The commission's final report was issued in January 2002 and includes recommendations that will provide an additional \$140 million in funding in fiscal 2003 and \$1.1 billion over a five-year period.

Student Transportation Funding

Chapter I of the first 1992 special session reduced the State basic grant for student transportation by \$55 million. Local school systems would have received \$141.2 million in student transportation funding in fiscal 1993; however, due to cost containment actions, State funding for the basic grant totaled only \$86.2 million. Future formula calculations were based on the revised fiscal 1993 State aid amount. If this cost containment action was not taken, State funding for student transportation would have totaled \$224 million in fiscal 2003, approximately \$85 million more than currently provided.

The fiscal 2003 State budget includes \$138.9 million in funding for student transportation, of which \$5.7 million is for transporting students with disabilities. State student transportation funding covers approximately 35% of total local expenditures for student transportation services. In fiscal 2000 local school systems spent approximately \$330 million for student transportation services including fixed charges.

State and Local Fiscal Effect: General fund expenditures would increase by \$27.5 million in fiscal 2003 and by \$31.5 million in fiscal 2007. In addition, approximately \$256.6 million in State education funding that sunsets after fiscal 2003 would continue in fiscal 2004. Local school systems will receive an additional \$9 million in fiscal 2004 under the transitional component of the Governor's Teacher Salary Challenge Program. This component was not funded in fiscal 2003.

Student Transportation Funding

State funding for student transportation would increase by \$27.5 million in fiscal 2003. This represents one-half of the amount of State funding that was eliminated by cost containment measures during the 1992 session. The increase in State funding in future years reflects inflation. Exhibit 1 shows the projected level of State funding for student transportation under current law and under the legislation. Exhibit 2 shows the State funding increase by local school system for fiscal 2003.

Exhibit I
State Funding for Student Transportation - Basic Grant
(\$ in Millions)

	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007
Current Law	\$133.2	\$137.9	\$142.8	\$147.5	\$152.5
H131206	<u>110.2</u>	<u>166.4</u>	<u>172.3</u>	<u>178.0</u>	<u>184.0</u>
Difference	\$27.5	\$28.5	\$29.5	\$30.5	\$31.5

State Education Funding That Sunsets After Fiscal 2003

Chapter 420 of 2001 extended the termination provision for 23 programs for one year while the commission continued its appraisal of the State's school finance structure. These programs were established under three bills: Chapter 105 of 1997 (Baltimore City School Legislation); Chapter 565 of 1998 (SAFE Program); and Chapter 492/493 of 2000 (Governor's Teacher Salary Challenge Program). Exhibit 3 provides a list of the programs that sunset at the end of fiscal 2003 and the estimated costs of funding these programs in fiscal 2004. Exhibit 4 shows the amount of State education aid that sunsets after fiscal 2003 and the amount of State education funding mandated under this bill in fiscal 2004.

Maryland Academic Intervention and Support Program

The Maryland Academic Intervention and Support Program was established to improve the performance of students with documented academic deficiencies and to prepare students for the high school assessments that students will have to pass in order to graduate. The fiscal 2003 State budget includes \$19.5 million in funding for this program. This bill requires that this funding be continued in fiscal 2004.

Special Education Grants

State funding for public special education programs consists of two components: (1) a \$70 million base amount; and (2) an additional \$11.25 million second tier amount. A local school system's share of the \$70 million base grant is equal to the amount of special education funding that the school system received in 1981 under a formula that distributed funds according to: (1) total enrollment; and (2) a 1976 cost index for special education expenditures in each county. The \$11.25 million second tier funding is distributed through a formula that is based on special education enrollment and local wealth. Total State funding for public special education (\$81.25 million) has remained unchanged since 1990. This bill requires that at least \$81.25 million be provided for this program in fiscal 2004.

Statewide Teacher Mentoring Program

The State currently provides \$15.9 million in funding for teacher mentoring programs that assist newly hired teachers and teachers who have less than five years experience with classroom management, curriculum, and school agendas. Of the total funding, \$5 million is part of a statewide initiative and the remaining \$10.9 million is for special grants to three local school systems (\$1 million for Anne Arundel County, \$7.9 million for Baltimore County, and \$2 million for Prince George's County). This bill requires that at least \$15.9 million be provided for this program in fiscal 2004.

Early Education Initiatives

The fiscal 2003 State budget includes \$19 million for early education initiatives. This bill requires that at least \$19 million be provided in the fiscal 2004 State budget for early education programs that improve the academic achievement of students in pre-kindergarten through third grade.

Judith P. Hoyer Early Child Care and Education Enhancement Program

This program provides financial support for the establishment of centers that provide full-day, comprehensive, early education programs and family support services that will assist in preparing children to enter school ready to learn. This program also provides funding to support voluntary accreditation of early child care centers, professional development of early childhood educators, and statewide implementation of an early childhood assessment system. The fiscal 2003 State budget includes \$11.625 million for these programs. This bill requires that at least \$11.625 million be provided for this program in fiscal 2004.

Reconstitution-Eligible Schools

This program assists low-performing schools in meeting State performance standards by providing extended-day academic instruction, implementing student assessments and professional teacher development, providing additional teachers, and instituting exemplary curricula. Currently, 107 public schools in Maryland have been placed by the State Board of Education under local reconstitution (reconstitution-eligible): 85 in Baltimore City, 20 in Prince George's County, one in Anne Arundel County, and one in Baltimore County. Approximately 63,200 public school students attend a local reconstitution school. In addition, the State Board of Education has placed four Baltimore City public schools under State reconstitution. Three schools, Gilmor, Montebello, and Furman L. Templeton elementary schools, were reconstituted in February 2000 and the Westport school that serves both elementary and middle school students was reconstituted in January 2001. The fiscal 2003 State budget includes \$11.8 million for this program. Of this amount: \$8.9 million is for Baltimore City, \$2.4 million is for Prince George's County, \$0.3 million is for Baltimore County, and \$0.2 million is for Anne Arundel County. This bill requires that at least \$9.8 million be provided for this program in fiscal 2004.

Management Oversight Panel

Pursuant to the SAFE legislation, a Management Oversight Panel (MOP) for the Prince George's County Public School System was established to monitor the progress of the school system's performance and financial audits and the implementation of the audits' recommendations for a four-year period. The State was responsible for funding the

coordination office up to a maximum of \$210,000 each year. However, since State funding began in fiscal 2000, the State appropriation for the MOP has been set at \$310,000. The MOP and State funding is extended for fiscal 2004.

Prince George's County School Construction Funding

Legislation enacted in 1998, Chapter 704, altered the State/local cost sharing formula for public school construction projects in Prince George's County by requiring the State to fund 75% of the eligible project costs for the first \$35 million in public school construction funding allocated by the State and 60% on any funds in excess of \$35 million. Under the then existing cost share arrangement, the State was responsible for 60% of eligible project costs. In addition, the legislation required the State to provide Prince George's County with \$35 million each year in school construction funding for fiscal 1999 through fiscal 2002, contingent on future economic conditions. Prince George's County must provide at least \$32 million for school construction projects. Legislation enacted in 2001, Chapter 420, extended the current State/local cost share arrangement and the required \$35 million State appropriation for school construction projects for Prince George's County until fiscal 2003.

This bill extends the current State/local cost share arrangement and the required \$35 million State appropriation for school construction projects for Prince George's County until fiscal 2004. This extension will enable Prince George's County to leverage State school construction funding with less local funds; however, fewer school construction projects in Prince George's County may be funded.

Additional Information

Prior Introductions: None.

Cross File: HB 1294 (Delegate Hixson, et. al.) - Ways and Means.

Information Source(s): Maryland State Department of Education, Department of Legislative Services

Fiscal Note History: First Reader - February 26, 2002
ncs/cer

Analysis by: Hiram L. Burch Jr.

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Exhibit 2
 Increased Student Transportation Grants
 Fiscal 2003

County	Regular Grant <u>Current Law</u>	State Grant <u>Tinder HB 1206</u>	Increased <u>State Aid</u>
Allegany	2,838,327	3,469,827	631,500
Anne Arundel	12,606,928	15,293,428	2,686,500
Baltimore City	10,303,967	12,596,967	2,293,000
Baltimore	15,614,981	18,920,981	3,306,000
Calvert	2,456,378	2,907,878	451,500
Caroline	1,477,633	1,798,633	321,000
Carroll	4,950,550	5,967,050	1,016,500
Cecil	2,776,398	3,351,898	575,500
Charles	5,343,410	6,443,910	1,100,500
Dorchester	1,465,299	1,790,299	325,000
Frederick	5,274,089	6,291,589	1,017,500
Garrett	1,886,605	2,308,605	422,000
Harford	6,490,468	7,843,468	1,353,000
Howard	6,605,117	7,807,617	1,202,500
Kent	985,359	1,202,859	217,500
Montgomery	15,730,395	18,691,895	2,961,500
Prince George's	20,871,346	25,145,846	4,274,500
Queen Anne's	1,745,313	2,103,813	358,500
St. Mary's	3,451,286	4,178,786	727,500
Somerset	1,140,339	1,393,339	253,000
Talbot	936,895	1,140,895	204,000
Washington	3,761,016	4,587,516	826,500
Wicomico	2,758,441	3,365,941	607,500
Worcester	1,693,619	2,110,619	<u>170,000</u>
Total	\$133,164,159	\$160,666,659	\$27,502,500

Prepared by the Department of Legislative Services, February 2002

Exhibit 3
State Education Funding That Terminates After Fiscal 2003
Estimated Allocation in Fiscal 2004

<u>County</u>	<u>Teacher Salary</u>	<u>Additional Poverty</u>	<u>Limited English Proficiency (LR 795)</u>	<u>Limited English Proficiency (SAE)</u>	<u>Targeted Improvement</u>	<u>Extended Elementary Education</u>	<u>Teacher Development</u>	<u>Aging School-</u>	<u>School Libraries</u>	<u>Other C*rantc</u>	<u>Total</u>
Allegany	1,795,564	484,128	0	12,426	569,843	110,856	205,000	355,000	40,266	0	3,573,084
Anne Arundel	5,108,777	1,038,816	40,500	931,010	732,216	513,006	271,000	570,000	268,456	0	9,473,781
Baltimore City	16,799,470	0	81,000	910,937	9,764,896	1,019,270	1,470,000	1,635,000	380,390	70,465,079	102,526,042
Baltimore	8,558,529	2,446,368	45,000	1,919,371	1,986,549	373,029	624,000	2,940,000	376,316	7,400,000	26,669,163
Calvert	629,582	184,032	0	32,499	175,066	166,839	16,000	65,000	53,740	0	1,322,759
Caroline	712,824	212,448	4,000	112,792	302,688	173,254	74,000	85,000	20,218	0	1,697,224
Carroll	2,038,172	215,040	11,000	100,366	196,664	23,428	41,000	385,000	98,518	0	3,109,187
Cecil	2,442,523	301,056	2,500	99,410	339,236	379,136	90,000	355,000	55,039	0	4,063,900
Charles	1,892,713	455,424	5,000	100,366	470,841	689,384	115,000	65,000	78,281	0	3,872,008
Dorchester	434,878	220,800	5,500	56,396	213,172	92,014	90,000	65,000	18,382	0	1,196,141
Frederick	2,599,852	445,728	2,500	515,210	427,088	397,207	107,000	85,000	125,881	0	4,705,465
Garrett	424,068	216,192	0	0	194,642	87,796	115,000	85,000	19,170	0	1,141,868
Harford	2,964,779	612,960	16,500	287,715	533,096	494,604	107,000	400,000	139,416	0	5,556,070
Howard	3,504,597	326,880	37,500	1,462,469	279,245	225,321	74,000	65,000	147,977	0	6,122,990
Kent	213,792	95,616	3,500	34,411	69,864	105,193	66,000	65,000	10,197	0	663,573
Montgomery	13,207,914	2,469,216	1,129,000	10,686,539	1,457,975	589,692	690,000	1,170,000	453,584	2,000,000	33,853,920
Prince George's	10,725,029	4,840,416	465,500	6,794,268	5,828,312	427,801	1,174,000	970,000	463,151	8,910,000	40,598,477
Queen Anne's	477,005	117,216	1,000	26,764	73,354	147,741	16,000	85,000	23,544	0	967,624
St. Mary's	1,159,947	361,632	6,000	139,556	271,938	446,922	66,000	85,000	52,289	0	2,589,284
Somerset	528,183	168,192	4,000	56,396	219,104	89,381	74,000	65,000	11,060	0	1,215,315
Talbot	700,802	110,016	3,000	91,763	54,193	140,193	33,000	155,000	16,384	0	1,304,351
Washington	1,611,731	571,200	15,000	144,335	468,466	274,552	164,000	200,000	72,645	0	3,521,929
Wicomico	2,274,483	443,808	19,500	256,171	541,719	552,834	156,000	355,000	50,492	0	4,650,007
Worcester	542,219	226,176	6,000	66,910	92,678	136,308	82,000	65,000	24,604	0	1,241,896
Total	\$81,347,433	\$16,563,360	\$1,903,500	\$24,838,079	\$25,262,845	\$7,655,761	\$5,920,000	\$10,370,000	\$3,000,000	\$89,275,079	\$265,636,057

Prepared by the Department of Legislative Services, February 2002

Exhibit 4
Mandated Education Funding in SB751
FY 2004 Estimates

	SB 795 New Baltimore City School Board I State P'ship (1997)	11B 1 SAFE (1999)	SB 810 / HB 1247 Governor's Teacher Salary Challenge ~2000~	SB 719 Educ. Finance, Equity and Excellence Act 2011	Total
SB795 Programs					
Baltimore City Partnership Funding	50,000,000				50,000,000
New Targeted Poverty Grants	16,563,360				16,563,360
Limited English Proficiency Grants	1,903,500	24,838,079			26,741,579
Aging Schools Program	4,350,000		6,020,000		10,370,000
Extended Elementary Education Program	3,290,000	4,365,761			7,655,761
Special Programs					
Teacher Mentoring -Baltimore County	2,400,000	5,000,000			7,400,000
Teacher Mentoring - Prince George's County		2,000,000			2,000,000
Gifted & Talented - Montgomery County	2,000,000				2,000,000
Magnet Schools - Prince George's County	1,100,000				1,100,000
SAFE Programs					
Targeted Improvement Grants		25,262,845			25,262,845
Teacher Development Grants		5,920,000			5,920,000
Effective Schools Program - Prince George's County		2,000,000			2,000,000
Pilot Integrated Suppt Serv - Prince Georges County		1,000,000			1,000,000
Teacher Develop. Initiatives - Prince George's County		2,500,000			2,500,000
Teacher Develop. Initiatives - Non Prince George's County		500,000			500,000
Elementary School Libraries		3,000,000			3,000,000
Prince George's - Management Oversight Panel		310,000			310,000
Governor's Teacher Salary Challenge Program					
Percentage Component			54,260,798		54,260,798
Wealth Adjusted Component			7,108,153		7,108,153
Hold Harmless Component			378,482		378,482
Targeted Component			10,600,000		10,600,000
Transitional Component			9,000,000		9,000,000
Other Funding Mandated					
Academic Intervention				19,500,000	19,500,000
Section 4 Funding (Baltimore City)			8,000,000	12,465,079	20,465,079
Special Education Tier H				11,250,000	11,250,000
Teacher Mentoring - (Anne Arundel and Baltimore Counties & Statewide)				6,500,000	6,500,000
Pre-K to 3 Initiative				19,000,000	19,000,000
Judy Hoyer Early Child Care & Educ. Enhancement				11,625,000	11,625,000
Local Reconstitution				9,800,000	9,800,000
Total Funding Mandated	\$81,606,860	\$82,716,685	\$89,347,433	\$90,140,079	\$343,811,057

BALTIMORE COUNTY PUBLIC S C Li OOLS

Joe A. Hairston, Superintendent

6901 Charles Street Towson, Maryland 21204-3711

KEY SCHOOL LEGISLATION March 12, 2002

HB 15 Education - Teacher Salary Signing Bonus - Eligibility Requirements

This bill would alter the eligibility requirement for the teacher-signing bonus to require a grade point average of at least 3.6 on a 4.0 scale or its equivalent from an accredited institution of higher education. Would further increase the teacher salary-signing bonus from the current \$1,000 to \$3,000. Would also alter the amount the teacher must reimburse the State if the teacher fails to meet the three-year commitment from \$1,000 to \$3,000. This enhancement of the existing program is an added incentive to recruitment.

The Board supports HB 15.

HB 51 Education - State Stipends - Eligibility of Library Media Specialists and Reading Specialists

This bill would alter the definition of classroom teacher to include library media specialists and reading specialists to grant library media specialists and reading specialists eligibility to receive specific State stipends.

The Board supports HB 51.

*HB 492 School Buying Consortium - County Boards of Education - Procurement Exceptions

This legislation authorizes public and non-public schools' participation in statewide and multi-state buying consortia.

The Board supports HB 492.

*HB 1010 Juvenile Law - Prohibition Against Possession of Portable Pagers on School Property - Repeal in Baltimore County

This bill would remove Baltimore County from the state statute prohibiting the possession of portable pagers on school property.

The Superintendent and Board will adopt the necessary policy and rules.

The Board supports HB 1010.

SB 153 Education - Full-Day Kindergarten and Half-Day Pre-Kindergarten Program - Establishment

By the 2007-2008 school year, each county board would be required to establish full-day kindergarten programs in that county. The State Board shall adopt regulations to phase in the implementation by the 2007-2008 school year. Would repeal the exemption for kindergarten programs from requirements for minimum days or hours of operation.

Would require the Governor to include \$5 million in the State budget for fiscal years 2004 through 2008 for the establishment of half-day pre-kindergarten programs in each local school system in the State for 4-year-old children who are potentially at risk of failing in school. The school systems may contract with a private provider for the operation of the half-day pre-kindergarten programs, provided that the programs comply in all respects with the laws and regulations governing early childhood and extended elementary education programs.

The Board has voiced its strong support of full-day and pre-kindergarten programs and has expressed that position in a Board Resolution. The Board has testified in support of the Thornton Commission's Recommendations, which include these provisions. This legislation is expected to be filed in the near future.

SB 169 Teachers' Retirement and Pension Systems - Reemployment of Retired Personnel

This legislation expands the category of employees who may retire and be rehired by a board of education without a penalty in their retirement benefit by adding assistant principals and guidance counselors. If passed, this legislation offers local boards additional staffing options in areas of shortage.

The Board supports SB 169.

SB 186 (1111701) Education - Children in Out-of-County Living Arrangements - Informal Kinship Care

This legislation would alter the current residency or "domicile" law governing student enrollment. Residency with a guardian would be expanded to be defined as a "relative who exercises care, custody, and control over the child 24 hours a day and 7 days a week" to be referred to as "informal kinship care." Serious family hardships, upon which a superintendent "SHALL" admit a child, are defined. Verification of said "kinship care" is achieved through submission of an affidavit specified in the bill and cites penalties for fraudulent use and notes the superintendent will remove the subject child.

The bill as presented requires no substantiation of the hardships cited, only the presentation of the affidavit.

Staff recommends that the presenter of the affidavit be required to present some evidence of the hardship as a companion requirement for admission, for instance, in the case of the death of a parent of the child, a copy of the death certificate.

The Board recommends that the affidavit language be amended to require supporting documentation of one or more of the hardships in paragraph (c)(IV) of the new language proposed for Section 7-101. If this is not attainable, the "SHALL" in line 22 of page 3 of the bill must be changed to the word "MAY." If some standards of verifiable hardship are not in place, the potential to a return to the conditions that preceded the "domicile" law are significant.

SB 233 (HB 290) Education - Negotiations Between Public School Employers and Employee Organizations

This Administration Bill, through a few brief amendments to current law, completely revises the scope of what may be bargained and negates the role and decisions of the State Board of Education as the arbiter of school labor issues in Maryland. The language, "A PUBLIC SCHOOL EMPLOYER MAY NOT NEGOTIATE ANY MATTER THAT IS PRECLUDED BY APPLICABLE LAW," would have the converse effect of allowing the many items, declared illegal subjects of bargaining by the State Board, to be bargained. As they are not precluded by "law" but rather by Board decisions, issues such as class size and calendar would be on the table. This safeguard of the scope of collective bargaining being vested with the lay citizen leadership of a State Board of Education is a cornerstone of Maryland education governance.

Additionally, this bill includes language that would allow, in the non-certification section of the law, that the substance of discipline and discharge be an item of bargaining. If it were to be bargained, and a case were at hand, present binding grievance law would allow a third party to decide the discipline or lack thereof that we could enforce.

The Board opposes SB 233(HB 290).

SB 336 (HB 544) Education - Baltimore County - Public School Employees

Under current provisions of the collective bargaining law pertaining to "certificated employees," Baltimore County may have no more than three units. Pursuant to the law, "the public school employer shall determine the composition of the unit." We have one unit composed of teachers, one of elementary and special education school nurses, and a third comprised of administrative and supervisory personnel.

This legislation, proposed by the CASE organization, would codify the composition of that unit to correspond to prior action of the Board of Education of Baltimore County in recognizing a bargaining unit comprised of both certificated and non-certificated personnel.

The sponsor of the bill, Senator Michael Collins, held the bill last year when the fact was raised that though the unit is comprised of administrators, whose jobs require professional educational certification, and others, whose jobs do not (Facilities' supervisors being an example), that the rights under Board Policy for professional personnel were not intended to pertain to administrators whose jobs do not require certification.

Since the 2001 Legislative Session, with the understanding of the sponsor and the superintendent, CASE representatives and staff have worked to develop language to clarify those concerns. That new language appears as lines 19 and 20 on the last page of the bill.

The Board supports SB 336 (HB 544).